



CASE/INCIDENT REPORT
NORTH DAKOTA HIGHWAY PATROL

Case No.
2017001285

Employee: 303 - Mlynar, Kyle J	
Date/Time: 2/23/2017 14:00:00	District: Northeast Region
Status: Active	

Additional Officers:

Reviewed By:

Highway:	Ref Point:	County: Morton	Other Location: Cannonball Bridge
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Events

303 - Mlynar, Kyle J - 02/23/2017 - Cannonball Bridge

Lead Event

Activity	Assisting Other Governmental	Trevor Szanto - Male - 15
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Involvement Type

Name:		Address:			Height: Unk	Weight:	Race: White
SSN/OLN:	OLN State:				Hair Color:		Eye Color:
Date of Birth: 04/27/2001	Sex: Male	City:	State:	Zip Code:	Home Telephone:		Work Telephone:
Involvement: Suspect		Other Information:					Cell Telephone:
							Fax No:

Vehicle License Plate Number - Year - Color - Make - Model

Unknown - Unknown - Unknown - Unknown - Unknown

Case Narrative

303 - Mlynar, Kyle J, Created: 03/13/2017, Last Modified: 03/13/2017

On 02/23/2017, Law Enforcement was removing protesters that were trespassing on land north of the Cannonball Bridge. The trespassers had been served an eviction notice and had not left by the deadline of 1400 hours on 2/22/2017.

While clearing the property, several people refused to leave. An unknown law enforcement officer attempted to effect an arrest on an individual to the north of me. A small skirmish ensued between protesters and law enforcement. An individual later identified as _____ began running south toward my location. The individual refused to stop and was brought to the ground and taken into custody. He was secured behind his back using flex cuffs and escorted to a transport UTV before being transported to a detention center by Parol and Probation Officers.

STATE OF NORTH DAKOTA)
) SS.
COUNTY OF MORTON)

AFFIDAVIT

I, Trooper Mlynar, an employee of North Dakota Highway Patrol,
attest to the following:

1. That I am a trained and licensed peace officer with 5 years of experience with jurisdiction to enforce state law in Morton County, North Dakota.

2. That on the 23rd day of February, 2017, at approximately 1400 hours, in Morton County, North Dakota, at (specific location)

Cannon Ball Bree / HWY 1806

3. The suspect was identified as (Full Name) _____
whose date of birth is (Month) April (Day) 27, (Year) 2001, and is 15 years of age.

4. The following gives rise to probable cause to charge the suspect with:

- PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-08-01, Class A Misd.
- CONSPIRACY TO COMMIT PHYSICAL OBSTRUCTION OF A GOVERNMENT FUNCTION, NDCC 12.1-06-04, 12.1-08-01, Class A Misd.
- PREVENTING/RESISTING ARREST (FELONY OFFENSE), NDCC 12.1-08-02, Class C Felony
- PREVENTING/RESISTING ARREST (MISD. OFFENSE), NDCC 12.1-08-02, Class A Misd.
- RECKLESS ENDANGERMENT, NDCC 12.1-17-03, Class C Felony
- CONSPIRACY TO COMMIT RECKLESS ENDANGERMENT, NDCC 12.1-06-04, 12.1-17-03, Class C Felony
- CRIMINAL TRESPASS (POSTED LAND, PRIOR NOTICE, REFUSAL TO LEAVE), NDCC 12.1-22-03, Class B Misd.
- CRIMINAL TRESPASS (CLOSED AS TO MANIFESTLY EXCLUDE INTRUDERS), NDCC 12.1-22-03, Class A Misd.
- 2ND OFFENSE OF CRIMINAL TRESPASS (POSTED LAND, PRIOR NOTICE, REFUSAL TO LEAVE), NDCC 12.1-22-03, Class A Misd.
- DISORDERLY CONDUCT, NDCC 12.1-31.01, B Misd.
- CRIMINAL MISCHIEF (>\$2000/DESTRUCTIVE DEVICE), NDCC 12.1-21-05, Class C Felony
- SIMPLE ASSAULT ON A PEACE OFFICER, NDCC 12.1-17-01, Class C Felony
- AGGRAVATED ASSAULT, NDCC 12.1-17-02, Class C Felony
- TERRORIZING, NDCC 12.1-17-04, Class C Felony
- CONTACT BY BODILY FLUIDS, NDCC 12.1-17-11, Class C Felony
- FELON IN POSSESSION OF A FIREARM, NDCC 62.1-02-01, Class C Felony
- POSSESSION OF AN EXPLOSIVE, NDCC 62.1-02-11, Class C Felony
- CARRYING A CONCEALED FIREARM OR WEAPON, NDCC 62.1-04-02, Class A Misd.
- INCITING A RIOT, NDCC 12.1-25-01, Class C Felony
- ENGAGING IN A RIOT, NDCC 12.1-25-03, Class A Misdemeanor
- ENDANGERING BY FIRE/EXPLOSION, NDCC 12.1-21-02, Class B Felony

OTHER: _____

OTHER: _____

OTHER: _____

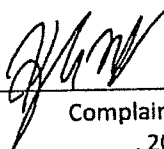
OTHER: _____

5. Circumstances and/or other facts:

On 02/23/2017, Law Enforcement was removing protesters that were trespassing on land north of the Cannonball Bridge. The trespassers had been served an eviction notice and had not left by the deadline of 1400 hours on 2/22/2017.

While clearing the property, several people refused to leave. An unknown law enforcement officer attempted to effect an arrest on an individual to the north of me. A small skirmish ensued between protesters and law enforcement. An individual later identified as _____, began running south toward my location. The individual refused to stop and was brought to the ground and taken into custody. He was handcuffed behind his back using zip cuffs and escorted to a transport UTV before being transported to a detention center.

Dated this 28th day of February, 2017.



Complaining Officer/Affiant

Subscribed and sworn before me on the _____ day of _____, 2017.

Notary _____ County